

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE:	§	
	§	
TKO SPORTS GROUP USA LIMITED,	§	CASE NO. 05-48509-H4-11
	§	CHAPTER 11
DEBTOR	§	

REORGANIZED DEBTOR'S MOTION FOR ENTRY OF FINAL DECREE CLOSING CASE

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 20 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEYS.

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

TKO Sports Group USA Limited, the Reorganized Debtor, hereby moves this Court, pursuant to Fed. R. Bankr. P. 3022 and 11 U.S.C. §350(a), for entry of a final decree closing its Chapter 11 case. The grounds for this motion are as follows:

Summary

1. The Chapter 11 case of TKO Sports Group USA Limited has been fully administered.

2. There remain no outstanding motions, adversary proceedings, or contested matters. Likewise, the confirmation order is final and payments under the Chapter 11 plan have commenced.

Jurisdiction and Authority

3. This is a core proceeding. The Court has jurisdiction over both the subject matter and the parties under 28 U.S.C. §1334 and the standing order of reference.

4. The Court may grant the relief sought under 11 U.S.C. §350 and Fed. R. Bankr. P. 3022, which permit the Court to enter a final decree closing the case upon its own motion or on motion of a party in interest.

5. The Plan provides for the retention of jurisdiction by the Bankruptcy Court to enter a Final Decree under Bankruptcy Rule 3022 terminating the Chapter 11 case. Rule 3022 of the Federal Rules of Bankruptcy Procedure further provides:

After an estate is fully administered in a Chapter 11 reorganization case, the court, on its own motion or on motion of a party in interest, shall enter a final decree closing the case.

Case is “Fully Administered” under Rule 3022

6. The 1991 Advisory Committee Note to Bankruptcy Rule 3022 sets forth six factors that the court should consider in determining whether the estate has been fully administered, including:

- a. whether the order confirming the plan has become final;
- b. whether deposits reported by the plan have been distributed;
- c. whether the property proposed by the plan to be transferred has been transferred;
- d. whether the debtor or the successor of the debtor under the plan has assumed the business or the management of the property dealt with by the plan;
- e. whether payments under the plan have commenced; and
- f. whether all motions, contested matters, and adversary proceedings have been finally resolved.

7. Each of these factors is satisfied here: (a) the Confirmation Order has become final; (b) the Plan does not require any deposits; (c) the Plan does not require property to be transferred; (d) the Reorganized Debtor has assumed management of property dealt with by the Plan; (e) plan payments have commenced, and (f) all motions, contested matters, and adversary proceedings have been resolved. Accordingly, this case has been substantially consummated and should be closed.

8. Thus, the Plan is fully consummated, and the administration of this Chapter 11 estate is complete. Further, the Debtor is current in all reports and payments due to the Office of the United States Trustee.

9. Accordingly, it is necessary and appropriate that the Court enter a final order and decree declaring that the case is fully administered and close the case.

10. The Movant, by this Motion, asks the Court to take judicial notice of the Docket and note the existence of the confirmation order and absence of any pending activity.

11. Equity suggests that the Court should enter its final decree promptly so that the former Debtor is not required to monitor the case, pay fees, and the case may otherwise be closed.

12. Certificate of Conference. The undersigned has discussed this Motion with counsel for the Official Unsecured Creditors Committee and he does not oppose it.

Prayer

WHEREFORE PREMISES CONSIDERED, TKO Sports Group USA Limited requests this Court to enter a final decree closing Case No. 05-48509-H4-11, and grant any related relief justified in law or equity.

Dated: August 1, 2007

Respectfully submitted,

WEYCER, KAPLAN, PULASKI & ZUBER, P.C.

/s/ Edward L. Rothberg

By: _____

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ATTORNEYS FOR TKO SPORTS GROUP USA
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served by first class mail, postage prepaid, and/or by electronic mail, to those parties on the attached Service List, on August 1, 2007.

/s/ Edward L. Rothberg

Edward L. Rothberg

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